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they all threw up their hands and demanded to be led against the enemy, and they covered Braddock's retreat."

General (then Major) Washington was in command of these troops, but I cannot find Winston's name in the list of Virginia troops in "French and Indian Wars," published in Vol. I of *Virginia Historical Magazine*.

G. C. BROADHEAD, Columbia, Mo.

VIRGINIA IN 1635.

THE DEPOSING OF GOVERNOR HARVEY.

(Abstracts by W. N. Sainsbury, and Copies in McDonald Papers,
Virginia State Library, from the British Public
Record Office)

[The action of some members of the Council and House of Burgesses, and of others of the people of Virginia, in forcibly deposing Governor Sir John Harvey, made the year 1635 one of the most notable in the history of Colonial Virginia. The causes which lead to or perhaps drove the colonists to take such a daring step were various. Harvey's rudeness and violent behavior had alienated many; he was believed to have taken illegally, portions of the public funds; he was arbitrary and avaricious. But the main causes were his favoring the settlement of Maryland by Baltimore, which the Virginia people opposed bitterly, and his refusal to transmit to England the Assembly's protest against the King's attempts of monopolizing the tobacco trade. The immediate occasion of Harvey's expulsion was his arrest of Nicholas Martain, Francis Pott, and William English, who were the chief speakers at a meeting held at the house of William Warren, in York, which was situated on or near the present site of Yorktown. The story of the "Thrusting out," is best told in the documents here printed or referred to. Harvey was sustained by the King and restored to his place as Governor; but it appears that Pott and Harwood who went with him to England, only suffered imprisonment for a time, and that the leaders in Harvey's expulsion, Utie, Mathews, West, Menefee and Dr. John Pott, though they went to England in accordance with the government's order, were never tried.

A good account of these events may be found in Fiske's *Old Virginia and Her Neighbors*, I, 293-299. See also Neill's *Virginia Carolorum*, 115-131. In connection with the letters in regard to this matter, which

have already been published in this Magazine, there are notes on the persons who were most prominently connected with it.]

GOVERNOR HARVEY TO SECRETARY WINDEBANKE.

(Abstract.)

Virginia, Jan. 27, 1634-5.

Governor, Sir John Harvey, to Secretary Sir Fras. Windebank.*

Received his Maj. letters [of 29 Sept., 1634, which see] on 20th inst., but Mr. Stonar, the person entrusted with the letter and directions died in the voyage. Has made diligent enquiry for his papers but as yet cannot hear of them. Will at the general meeting of the Assembly † which will be the 20th of next month, make known his Maj. commands touching the sole pre-emption of their tobacco and likewise propose to them some convenient course for a beginning and settlement of other staple commodities in this colony, but doubts these affairs may find great want of Mr. Stonar's abilities.—*Colonial Papers*, Vol. 8, No. 44.

THE KING TO SIR HENRY SPILLER [SPILLMAN].

(Abstract.)

March 11, 1635-6.

The King to Sir Henry Spiller, Sir Abraham Dawes, Lawrence Whitaker, Edward Ayscough and Lawrence Lawnes. Letters Patent which recite Proclamations of James 1 of 29 Sept. & 2 March, in 22 year of his reign, forbidding the importation or sale of tobacco not of the growth of Virginia and the Somers Islands—another proclamation of 30 Dec., 17 Jas. 1, forbidding the planting of tobacco in England or Wales—which were renewed by proclamations of 9 April and 13 May, 1 Chas. I, 17 Feb., 2 Chas. I, 9 Aug., 3 Chas. I, and 8 Jan., 6 Chas. I. John Gilley and Richard Bigge are hereby appointed to prosecute offenders against said Proclamations, and Sir Henry Spiller & the others above named are appointed Commissioners to compound with such offenders, said Gilley Bigge & to receive a fourth part of the fines recovered.—*Domestic*, *Charles I*, Case C, No. 5.

*Sir Francis Windbank was one of the Secretaries of State of England from 1632 to 1641, when he fled abroad from fear of prosecution by Parliament. He was son of Sir Thomas Windbank, of Haines Hill, Berkshire, and his wife Frances, daughter of Sir Edward Dymoke, of Scrivelsby. Mildred Windbank, a daughter of Sir Thomas, married Robert Reade, and was the mother of George Reade, who emigrated to Virginia, and was a partisan of Harvey, and of Robert Reade, who was private secretary to his uncle Sir Francis Windbank.

† The proceedings or acts of this session of Assembly are not given in *Hening*; but there is a brief reference, Vol. I, p. 228. On the same page it is recorded that "An Assembly to be called to receive complaints against Sir John Harvey, on the petition of many inhabitants to meet 7th of May."

GOVERNOR HARVEY TO SECRETARY WINDEBANKE.

From the Fort at Point Comfort in Virginia,

April 3, 1635.

Governor Sir John Harvey to Secretary Sir Fras. Windebank writes to give his honor to understand that Sir John Zouch * and Capt. Button, by whom he intended to have written at large the state of all business of this Colony, have with some preposterous haste prevented him. His Honor will find when his letters and the Secretary's shall come to his hands (by the next ship), that faction not zeal to his Maj. service hath caused these gentlemen thus to hasten and indeed to leave the chief of their business behind. (*Colonial Papers*, Vol. 8, No. 53.) Indorsed by Windebank, "rec. 9 June, 1635."

NOTES BY SECRETARY WINDEBANKE.

(Abstract.)

April 10, 1635.

Notes by Secretary Sir Francis Windebanke of business transacted by the Lords of the Treasury. Lady de la Warr's † pension of £500 pr. ann. out of the customs of Virginia respited. (Extract from *Domestic Correspond.*, Charles I, Vol. 285, No. 7.)

See her Petition, ? June, 1634.

GOVERNOR HARVEY TO SECRETARY WINDEBANKE.

(Abstract.)

Virginia, April 9, 1635.

Governor Sir John Harvey to Secretary Sir Fras. Windebank:

Desires to recommend to him an old servant of King James & of his present Maj. Captain Francis Hooke, ‡ whose particular deservings he forbears to mention because they are well known to the Lord Treasurer and to most of the Lords of the Council.

His suit on his behalf, in regard he has come into this colony & Gov. Harvey has bestowed upon him the keeping of the Fort at Point Comfort which he willingly accepts is that he may have his Maj. approbation as Harvey knows not in all the Country any man so fit for that place. Indorsed by Windebank, "rec. 5 June, 1635, by Mr. Hawley." (*Colonial Papers*, Vol. 8, No. 54.)

* Sir John Zouch one of the Royal Commissioners for Virginia visited the Colony in 1634. Harvey stated that he was a Puritan.

† This was the widow of Thomas Lord de la Warr, governor of Virginia.

‡ Capt. Hooke had been a naval officer. See this Magazine, III, 22-23.

CENSUS OF VIRGINIA 1634.

(Abstract.)

April, ? 1635.

A List * of the number of men, women and children inhabiting in the several counties within the Colony of Virginia Anno Domini 1634, viz:

Within the County of Henrico,	.	.	419
Within the County of Charles City,	.	.	511
Within the County of James City,	.	.	886
Within the County of Warwick River,	.	.	811
Within the County of Warrosquyoake,	.	.	522
Within the County of Elizabeth City,	.	.	859
Within the County of Charles River,	.	.	510
Within the County of Accwomack,	.	.	396
			<hr/>
The whole number is,	.	.	4914

Mem. After this list was brought in there arrived a ship of Holland with 145 from the Bremudas. And since that 60 more in an English ship which likewise came from the Bremudas. Indorsed by Windebanke, "rec. 5 June, 1635, by Mr. Hawley."—1 p., *Colonial Papers*, Vol. 8, No. 55.

— ZOUCH TO SIR JOHN ZOUCH.

[In regard to the deposing of Harvey. Printed in full in Neill's *Virginia Carolorum*, 118-120.]

ACCOUNT OF THE MUTINY, &C., OF THE VIRGINIANS.

Most revered and right honorable:

His majesty was graciously pleased in August last to conferr upon mee under the greate seale of England the place of Secretary for this Collony, one of his royall commands therein being that I should write and answer all letters both sent to and from the Colony with charge likewise to exercise all other functions belonging to the place and office of a Secretary, whereby I must conceive myselfe in deuty bound to present to your Honors from time to time an account of the proceedings and materiall passages here. Soone after my arrivall in December last, his Majesties' royall letters came to the hands of the Governor and Counsell which signified that his will and pleasure was to have the sole pre-emption of all the Tobacco issuing from hence, the answer of the Collony among many other informations I did by the first opportunity of shipp-

* This census was printed, with fuller description of the bonds of counties, in Neill's *Virginia Carolorum*, 114-115.

ing present in a packet to Mr. Secretary Windebank. The necessity of the time againe calls on my duty to give your Honors a true and perfitt relation (according to the trust imposed in me), of the late distempers here.

There came notice one night late about the 27th of Aprill last, to Sir John Harvey the Governor and myself to Jamestown of a multitude of people that day gathered together in a place called Yorke, at the house of one William Warren, the chiefe speakers among them were observed to be these, Captain Martian, Francis Pot, and one William English the then Shereife of that county. The informers of it testified that they offered to enter the house, but a servant meeting them, tould them they must not goe in for there was a Court kept there of the inhabitants there about, whereupon they desisted and lended themselves to harken to the discourse among them, when a writing was read by Francis Pot subscribed by many dwelling in other parts of the country, the effect of it as much as they could collect at that distance where they stood was a tax of the Governor, some particulars being expressed, and something in the conclusion which theyre lives and estats should make good but what they know not after the reading whereof, Francis Pot demanded theyre approbation to which they all affirmed and subscribed, many speeches (we were informed), were at that time used by Captain Martian and English all invieghing against the Governor and government. These speeches were distinctly heard that noe justice was done. That the Governor would bring a second massacre among them, and among other motives which were used to perswade the people to subscribe, Potts tould them that some of the Counsell had a hand in it, the next morning after this information came to the Governor and myselfe we sent out a summons to the rest of the Counsell to meete and warrants to apprehend Martian, English and Potts and alsoe for other persons there adjoyning whose names we understood were subscribed to this writing. By examination we found that Potts had been the chieftest instrument in this business, they deposed that it was brought from the upper parts by him and that the effect of the writing was to desyre the Counsell to call the Governor to account for not sending theyre late answer to the King's letter by theyre agents. Some of the examinants deposed that they knew not what the writing conteyned but that Potts tould them it was for theyre good and willed them to be assistant when they should bee called. After a few days Potts was brought up prisoner having before his apprehending bin in the lower parts of the country, there also mustering his name at a meeting call d to that purpose but by what power or commission wee cannot here understand. The Counsell being mett was brought before us and being demanded what writing that was which he carried about the country, after some excuses he produced it, but with all sayed that if he had offended he did appeale to his King for he was sure of noe justice from Sir John Harvey; upon this we again committed

him and brake up Counsell for that night. The next day the Governor demanded of the Counsell if they had knowledge of this writing or the peoples grievances. Mr. Minifie one of the Counsell answered that their chiefest grievance was the not sending the answer of the late Assembly by their agents chosen, to which the Governor rising from his place replied, do you say soe? I arrest you upon suspicion of treason to his Majesty, whereupon Captain Uty and Captain Mathewes both of the Counsell layd hands on the Governor using these words, "and we you upon suspicion of treason to his Majesty." I stept to them and tould them he was the King's Lieftenant and that they had done more then they could well answer, for by this act the King's honour and prerogative was in question, upon which words they let goe their hold, the Governor then retiring to his place, the rest of the Counsell pressing toward him, whereupon I thus farr againe advised: "Gentlemen I see you are all in passion, which makes men noe longer themselves and what act you may now runn into, yourselves know not, therefore I pray give a small respite to your anger and recover your reason, to which theyre answer was, they would, and did accordingly.

After some pause Captain Mathewes began in these words to the Governor, "Sir, the people's fury is up against you and to appease it is beyond our power, unlesse you please to goe for England, there to answer their complaints." The Governor's answer was that he was commanded by the King to this service and from it he would not depart untill his Majesty pleased to call him; many words and much time was spent in arguing, at last the Governor demanded that they would set down under their hands their propositions, which they sayd against morning they would prepare, and soe departed for that night. I must not heere omitt one circumstance (which I have by information), which might argue a foreknowledge in some of the Counsell of this hubbub of the people, as also some bad intent towards the Governor, which they were resolved to make good; for when these passages were, one Doctor Pott held but up his hand, which a second man who stood by a neere adjoyning pale, tooke as a signal, when straight about 40 musketiers marched up to the door of the Governor's house, and a fellow was scene going by with a burden of muskets who being rebuked by another for carrying them soe neer the Governor's house, for discrying made answer "tis no matter he shall know we have armes;" this one Mr. Robert Lytcott, sonne of Sir John Lytcott's, who now goeth for England, can (as he affirms to me) and will be ready to testifie before your Honours. The next morning the Counsell brought theyre propositions in writing and subscribed them before the Governour. Captain Mathewes speaking to mee for my hand, my answer was that it was to bee supposed noe man had there subscribed but they who would also swear it, and for my part my knowledge was not interested in any such grievances or in the truth

of any complaints against the Governor, neither did I conceive the business soe full of dangers as to necessitate the Governor's going for England which satisfied them, then the Governor told them that he would take time to give an answer which was assented to, that night there came a letter to the Governor from Captain Purifie one of the Counsell from the Lower parts which I noe further mention to your Honours because the originall is in the hands of Sir John Harvey, after the reading of which letter I must confess I apprehended more danger towards the Governor's person then formerly I had done, then did the Governor demand of me my advice concerning his going home and withall put this question to me whether he should not doe better to abide the brunt though he were cut in a thousand pieces then to leave his charge, my answer was, that the slighting of danger in the service of his King and Master was no lesse then his duty injoynd him, but I desyred him to consider whether the losse of his life alone were all the hazard the King's service should run, for when theyre fury had intraged them to such an action they must goe further to make that good, the Governor then resolved to goe for England and the next morning signified soe much to the Counsell upon these conditions, first that they would elect one of the Counsell whome he should nominate Governor untill the King's pleasure was further knowne; next that they would sweare upon the holly Evangelists to offer no hostility to those of Maryland; 3rdly that Captaine Mathewes, Captain Peirce and Mr. Minifie might likewise go for England; to neither of these they would yield, notwithstanding which the Governor held his resolve and that day delivered his commission and Instructions to my custody, in the presence of the Councell. when a proclamation was published in the name of the Councell signifying the intent of the Governor and commanding all persons to dispurce themselves to their severall homes. I could not give your Honours a full Information without this circumstance which is now left to your Lordshipps graver censure, as alsoe how dangerous a presedent this might be to future insolencies, unlesse by some speedy course your Honours please to bridle them. Potts whome wee find the Incendiary of these broyles, at least it is most apparent that by his hands the writing was both drawne and contrived throughout the Colony by reason of his appeale, we send into England and have taken security, that he shall attend what your Lordship's shal determine of him, the names of the rest Sir John Harvey hath truly copyed, what your Honours shall order concerning all or the chiefe of them they shall be ready to answer. There is one Captaine West chosen Governor untill his Majesties pleasure be further knowne, which I hope your Honours will hasten and thereby settle these miserable distractions amongst us. I am but lately ingaged in this service, but I shal summon up all my faculties and abilities to discharge it faithfully. And

as any other occurrences happen which may concerne your Honours knowledge you shal receive a sincere account from,

Yours Honours most Commanded Servant,

(Signed.)

RICHARD KEMP.

Virg., this 17th of May, 1635.

S. P. O., Colo., Vol. 8, No. 61.

[TO BE CONTINUED.]

VIRGINIA MILITIA IN THE REVOLUTION.

(CONTINUED.)

1777. Jany. 8. Glenn, Major John, for pay, rations & forage to the 2d of Dec. last, £92. 9. 10½.

9. Gannaway, Gregory, for one Gun for Capt. John Bates's Comp'y of Militia, 2. 5. 0.

Gannaway, John, for one Do. Do. Do., 2. 5. 0.

11. Grimes, Capt. William, for pay & forage & blankets for his Comp'y Mint. Men at Norfolk to the 1 Inst., 125. 7. 4.

16. Giles, William, for 3½ days Waggon hire for Capt. Dabney's Comp., 2. 3. 9.

23. Gaines, James, for a Gun for the Militia at Portsmouth, 2. 10. 0.

25. Gibbons, Robert, for Nails furnished the Fort at Gloster Town,

22. 1. 0.

Mar. 4. Glenn, John, for Cartage & Diets for the New Kent Militia,

3. 3. 0.

12. Granberry, William, for repairing Guns for Nansemond Do., 15, 6. 0.

Griffin, Dr. Corbin, for Medicines, Provis's & attend'ce on Sick at York to the 28 Feb'y, 153. 10. 9.

22. Grant, Richard, for 28½ days work on Gun Carriages & 2 doz. Screws, 5. 14. 0.

Grant, John, for 37 Do., Fort Stephen, 7. 8. 0.

29. Gooseley, William, for 10 Cords wood &c. furnished the Militia at York, 8. 5. 0.

Ap'l 2. Gates, William, for a Gun furnished Capt. Thos. Ballow on Cherokee Expedition, 3. 10. 0.

Goff, William, for a Do. Do. Do., 3. 0. 0.

8. Gooch, William, for 20½ Cord of Wood for Militia at Hampton, 10. 5. 0.

Ditto 4½ Ditto Ditto, 2. 5. 0.

11. Gale, Capt. Robert, for pay & rations of his Comp'y Militia of Gloster to Jan'y 27, 18. 10. 0.